

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/499,562	SUZUKI ET AL.	
	Examiner Grigory Gurshman	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to amendment filed 6/29/2005.
2.  The allowed claim(s) is/are 1-39.
3.  The drawings filed on 07 February 2000 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

**DETAILED ACTION**

***Allowable Subject Matter***

1. Claims 1-39 are allowed.
2. The following is an examiner's statement of reasons for allowance:
  - 2.1 Referring to the instant claims, Kaneko discloses a multichannel broadcasting system (see abstract). Kaneko teaches that a system output signals of broadcast contents in a multichannel broadcasting system, which includes a broadcast content storage unit for storing data of the broadcast contents, a plurality of main output buffer apparatuses each assigned to some of several output channels wherein data of broadcast contents to be output to the associated output channels is copied from the broadcast content storage unit to be output at output times as signals, backup output buffer apparatuses fewer in number than the main output buffer apparatuses wherein data of broadcast contents to be output to all the output channels is copied from the broadcast content storage unit, and a control unit for letting the backup output control apparatus output signals of broadcast contents stored therein for output channels associated with any of the main output buffer apparatuses to the output channels in the event of a failure occurring in any of the main output buffer apparatuses (see abstract).
  - 2.2 Referring to the independent claims 1, 15, 34, 36 and 39, Kaneko teaches the use of "control means" in a form of terminal control module (110), but he does not teach or suggest that the control *means judges whether or not a specified content signal is stored in the memory means.*

2.3 Referring to the instant claims, Menard discloses a television monitoring system (see abstract). Menard teaches a system for monitoring standard broadcast signals, comprises a device for receiving the broadcast signals, a user-operable selection device for inputting criteria identifying program content of interest to the user, a database for storing data representing the criteria, and a recognition device for generating from the broadcast signals a program data stream representative of the program content. A comparator for compares the program data with the stored data, and an output device carries out a predetermined action, such recording a segment of the program, when the program data matches the stored data (see abstract). Referring to the independent claims 1, 15, 34, 36 and 39, Menard, however, does not teach or suggest that *when it is judged that a specified content signal is not stored in the memory, generating a content request signal for requesting the specified content signal.*

2.4 Referring to the independent claims 16 and 29-34, neither Kaneko nor Menard teach or suggest the use of a reception means or reception process for receiving the *content request signal*. The only means suggested by Kaneko are the means for receiving the broadcast signal.

2.5 Therefore, the combination of Kaneko and Menard will not render the independent claims 1, 15, 16, 29 -34, 36 and 39 obvious.

3. In view of the reasons presented herein, claims 1-39 are in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Grigory Gurshman whose telephone number is (571)272-3803. The examiner can normally be reached on 9 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571)272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Grigory Gurshman  
Examiner  
Art Unit 2132

GG



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